

**IN THE UNITED STATES DISTRICT COURT
FOR THE SOUTHERN DISTRICT OF ILLINOIS**

KEVIN HALFMANN,)	
)	
Plaintiff,)	
)	
vs.)	CIVIL CASE NO. 02-1088-GPM
)	
DR ANYANWU,)	
)	
Defendant.)	

REPORT AND RECOMMENDATION

FRAZIER, Magistrate Judge:

Before the Court is plaintiff's motion to withdraw all complaints, which is CONSTRUED as a motion for voluntary dismissal. Plaintiff is pursuing § 1983 claims against defendant Anyanwu pertaining to injuries resulting from delays in dental services at Menard Correctional Center. Pursuant to Rule 41(b), plaintiff may voluntarily dismiss his claims upon conditions the Court deems proper. Because the motion was filed late in the pretrial proceedings, the Court finds that voluntary dismissal should be with prejudice and without costs. The motion is unopposed.

IT IS RECOMMENDED that plaintiff's motion for voluntary dismissal (Doc. No. 44) be GRANTED as follows. Plaintiff's claims against defendant Anyanwu should be dismissed with prejudice and without costs.

SUBMITTED: January 17, 2006.

s/Philip M. Frazier
PHILIP M. FRAZIER
UNITED STATES MAGISTRATE JUDGE